

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EXITEXCHANGE CORP., a Texas corporation,

Plaintiff,

vs.

NTT America, Inc. , a Delaware corporation; Motherless, Inc., a New York corporation; and Quasar Data Center, Ltd, a Texas Domestic Limited Partnership

Defendants.

CASE NO. 2:13-vc-00401-JRG

Jury Trial Demanded

JOINT MOTION TO DISMISS AS TO MOTHERLESS, INC.

NOW COMES the Plaintiff ExitExchange Corp. and Defendant Motherless, Inc., and respectfully move the Court to dismiss the claims between them, and in support thereof would respectfully show the Court as follows:

All matters in controversy between ExitExchange Corp. and Motherless, Inc. in this suit have been resolved pursuant to a Settlement and License Agreement (“Agreement”), and these parties therefore jointly move to dismiss all claims asserted between them, with prejudice to the right to pursue any such claims in the future except as may be provided in the Agreement, with this Court retaining jurisdiction to enforce or interpret the Agreement. These parties further move that all attorney’s fees and costs of court be assessed against the party who incurred them.

All licenses and covenants granted to Motherless and its Affiliates are extended to Quasar Data Center, LTD. based on its provision of goods and/or services to Motherless for Motherless

Covered Products.

WHEREFORE, PREMISES CONSIDERED, these parties jointly pray that their claims against each other be dismissed with prejudice, with all attorney's fees and costs of court being assessed against the party who incurred them, with the Court retaining jurisdiction to enforce or interpret the Agreement.

Respectfully submitted,

Dated: October 25, 2013

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ATTORNEYS FOR PLAINTIFF
EXITEXCHANGE, CORP.

Dated: October 25, 2013

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served this October 25, 2013 on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Elizabeth L. DeRieux